

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TERRELL CHURCHWELL,

Plaintiff,

v.

UNKNOWN PARTY, named as John Doe,
Administrative Sergeant/Sheriff, et al.,

Defendants.

Case No. 1:19-cv-819

HON. JANET T. NEFF

ORDER

This is a civil rights action brought under 42 U.S.C. § 1983 by a federal prisoner. Defendants April Crosby, Adam Rich, and Rocky Wildfong filed a Motion for Summary Judgment (ECF No. 49, corrected by ECF No. 53). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on June 29, 2021, recommending that this Court grant in part and deny in part the motion. The Report and Recommendation was duly served on the remaining parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Accordingly:

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 61) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Motion for Summary Judgment (ECF No. 49, corrected by ECF No. 53) is GRANTED IN PART AND DENIED IN PART; specifically, the motion is granted with regard to Plaintiff's excessive force claim against Defendants Crosby and Rich based on the restraint chair incident and with regard to his conditions-of-confinement claim, and the motion is denied with regard to his excessive force claim against Defendant Wildfong.

This Order terminates Defendants April Crosby and Adam Rich.

Dated: July 28, 2021

/s/ Janet T. Neff
JANET T. NEFF
United States District Judge